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Receipt

ARNOLD & PORTER LLP

Thomas E. Holsten
Thomas_Holsten@aporter.com
202.942.5085
202.942.5999 Fax
555 Twelfth Street, NW
Washington, DC 20004-1206



October 5, 2004

Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Conf. No. 8785
Art Unit: 1631
Examiner: M.A. Moran

Re: U.S. Application No. 09/815,264 filed March 23, 2001
Title: Genomic Plant Sequences and Uses Thereof
Applicants: Andrey A. BOUKHAROV *et al.*
Atty. Docket: 16517.006

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. Request to Rescind Prior Request and Certification under 37 C.F.R. § 1.213(b); and
2. Return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

In the event that extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 16517.006. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Thomas E. Holsten (Reg. No. 46,098)
David R. Marsh (Reg. No. 41,408)

Enclosures



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Andrey BOUKHAROV *et al.*

Appl. No.: 09/815,264

Filed: March 23, 2001

For: Genomic Plant Sequences and Uses Thereof

Confirmation No. 8785

Art Unit: 1631

Examiner: Marjorie A. Moran

Atty. Docket: 16517.006

**Request to Rescind Prior Request and Certification
Under 37 C.F.R. § 1.213(b)**

Mail Stop PGPUB

Commissioner for Patents

P.O. Box 1405

Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the Request for Non-Publication and Certification Under 35 U.S.C. § 122(b) filed on March 23, 2001, in the above-captioned U.S. application be rescinded in accordance with 37 C.F.R. § 1.213(b).

On March 23, 2001, the above-captioned U.S. application was filed with a Request for Non-Publication, which contained a certification under 35 U.S.C. § 122(b)(2)(B)(i), including a statement that the invention "has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing." (Request attached hereto as Exhibit A).

Applicants wish to rescind the request for non-publication filed on March 23, 2001, for the above-captioned U.S. application.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

Date: October 5, 2004

Of Counsel:

Lawrence M. Lavin, Jr. (Reg. No. 30,768)

Thomas E. Kelley (Reg. No. 29,938)

Monsanto Company

Thomas E. Holsten (Reg. No. 46,098)

David R. Marsh (Reg. No. 41,408)

ARNOLD & PORTER LLP

555 Twelfth Street, NW

Washington, DC 20004-2402

(202) 942-5000 telephone

(202) 942-5999 facsimile